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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Applicati n Number	09/736,968	
	Filing Date	December 13, 2000	
	First Named Inventor	Lu, Peter S.	
	Group Art Unit	1647	
	Examiner Name	Bridget E. Bunner	
Total Number of Pages in This Submission	1	Attorney Docket Number	020054-000611US

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

LU et al.

Application No.: 09/736,968

Filed: December 13, 2000

For: **CLASP-7 TRANSMEMBRANE
PROTEIN**

Examiner: Bridget E. Bunner

Art Unit: 1647

RESPONSE TO RESTRICTION
REQUIREMENT

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Responsive to the Office Action mailed on July 30, 2002, Applicants make the following election.

REMARKS

Claims 1-37 are pending in the application. The Action restricts the invention into 12 groups as follows:

Group A: claims 1-4, 6-15, and 30, drawn to an isolated CLASP-7 polynucleotide, an expression vector, a host cell system, and a method of producing a CLASP-7 polypeptide, classified in class 536, subclass 23.1.

Group B: claims 5, 16-22, and 30, drawn to an isolated CLASP-7 polypeptide, classified in class 530, subclass 350.

Group C: claims 23-25 and 30, drawn to an isolated antibody that specifically binds a polypeptide and a hybridoma capable of secreting an antibody, classified in class 530, subclass 387.1.

Group D: claim 26, drawn to a method of identifying a compound or agent that binds a CLASP-7 polypeptide comprising contacting a CLASP-7 polypeptide with the compounds and detecting the presence of a complex, classified in class 435, subclass 4, for example.

Group E: claim 27, drawn to a method of detecting a CLASP-7 polypeptide comprising contacting the sample with an antibody and determining whether a complex has been formed, classified in class 435, subclass 7.1.

Group F: claim 28, drawn to a method of detecting a CLASP-7 polypeptide [*sic*, polynucleotide] in a sample comprising contacting the sample with a polynucleotide and determining whether a hybridization complex has been formed, classified in class 435, subclass 6.

Group G: claim 29, drawn to a method of detecting a CLASP-7 nucleotide [*sic*, polynucleotide] in a sample comprising using a polynucleotide in an amplification process and determining whether a specific amplification product has been formed, classified in class 435, subclass 6.

Group H: claims 31-33, drawn to a method of inhibiting an immune response in a subject comprising interfering with the expression of a CLASP-7 gene, interfering with the ability of a CLASP-7 protein to bind another cell, and interfering with the ability of a CLASP-7 protein to bind another protein, classified in class 435, subclass 4.

Group I: claim 34, drawn to a method of inhibiting an immune response in a subject comprising administering to the subject a therapeutically effective amount of an antibody which specifically binds a polypeptide, classified in class 424, subclass 139.1.

Group J: claims 35-37, drawn to a method of preventing or treating a CLASP-7 mediated autoimmune disease comprising administering to a subject in need thereof a therapeutically effective amount of a polynucleotide, classified in class 514, subclass 44.

Group K: claims 35-37, drawn to a method of preventing or treating a CLASP-7 mediated autoimmune disease comprising administering to a subject in need

thereof a therapeutically effective amount of a polypeptide, classified in class 512, subclass 2.

Group L: claims 35-37, drawn to a method of preventing or treating a CLASP-7 mediated autoimmune disease comprising administering to a subject in need thereof a therapeutically effective amount of an antibody, classified in class 424, subclass 130.1.

In compliance with the requirement, Applicants elect to prosecute the invention of Group A, claims 1-4, 6-15 and 30. This election is made with traverse.

Applicants respectfully request redefinition of the groups in the interest of administrative efficiency and consistent with art recognized classifications. In particular, Applicants request the following: Combination of Groups A, F and G, drawn to polynucleotides (including an expression vector, a host cell system, and a method of producing a polypeptide); a method of detecting a polynucleotide in a sample by contacting the sample with a polynucleotide to determine whether a hybridization complex has been formed; and a method of detecting a polynucleotide by using a polynucleotide in an amplification process; respectively, into one group. The suggested combination is believed to be more consistent with accepted use and Applicants respectfully request adaptation. Specifically, CLASP-7 polynucleotide sequences and methods of detecting CLASP-7 polynucleotide sequences can be searched together without placing an undue search burden on the Examiner. In fact, MPEP 808.02 states the following: "Where, however, the classification is the same and the field of search is the same and there is no clear indication of separate future classification and field of search, no reasons exist for dividing among related inventions."¹ Thus, Applicants would greatly appreciate if the Examiner would reconsider the restriction requirement and examine Groups A, F and G together.

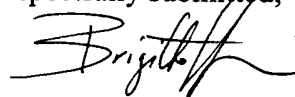
Applicants also indicate that claim 28 erroneously recites "a method of detecting a CLASP-7 *polypeptide* in a sample" which reflects an unintentional error. Instead, the claim should read "a method of detecting a CLASP-7 *polynucleotide* in a

sample". No new matter is introduced by this correction. Further, Applicants indicate that claim 29 erroneously recites "detecting a CLASP-7 *nucleotide*" which also reflects an unintentional error. Instead, the claim should refer to "detecting a CLASP-7 *polynucleotide*". No new matter is introduced by this correction.

CONCLUSION

In summary, Applicants elect Group A in compliance with the requirement. The election is made with traverse. Applicants respectfully request redefinition of the groups such as the combination of Groups A, F and G into one group.

Respectfully submitted,



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¹ MPEP 808.02 Related Inventions; (C) A different Field of search